

Dominic J. Picca
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GLOVSKY and POPEO, P.C.
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dpicca@mintz.com

Attorneys for Defendants

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE PRUDENTIAL INSURANCE :
COMPANY OF AMERICA, : 07 CV 8497 (DAB)
: Plaintiff, : **NOTICE OF MOTION FOR**
vs. : **ADMISSION PRO HAC VICE**
J. RONALD TERWILLIGER, WILLIAM C. :
MACDONALD, JOSEPH S. TORG, and CFP :
RESIDENTIAL, L.P. :
Defendants. :
----- X

2007 NOV 29 PM 11:00 AM
LAW OFFICES OF MINTZ LEVIN COHN FERRIS
FILED 2007 NOV 29 PM 11:00 AM
U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK

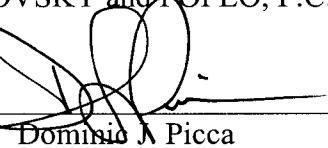
PLEASE TAKE NOTICE that upon the annexed Declaration of Dominic J. Picca dated November 28, 2007 and the exhibits annexed thereto, Dominic J. Picca respectfully moves this Court for an Order pursuant to Rule 1.3(c) of the Local Rules of this Court, admitting R. Robert Popeo, Esq., Timothy J. Langella, Esq., and Joseph D. Lipchitz, Esq., pro hac vice for all purposes in this matter as counsel for defendants J. Ronald Terwilliger, William C.

MacDonald, Joseph S. Torg and CFP Residential, L.P.

Dated: November 28, 2007
New York, New York

MINTZ LEVIN COHN FERRIS
GLOVSKY and ROPEO, P.C.

By:



Dominic A. Picca

Chrysler Center
666 Third Avenue
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Attorneys for Defendants.

To: Christopher J. Garvey, Esq.
Goodwin Procter LLP
599 Lexington Avenue
New York, New York 10022

and

Anthony M. Feeherry
Brian H. Mukherjee
Goodwin Procter, LLP
Exchange Place
Boston, Massachusetts 02109

Attorneys for Plaintiff

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Attorneys for Defendants

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, Plaintiff, vs. J. RONALD TERWILLIGER, WILLIAM C. MACDONALD, JOSEPH S. TORG, and CFP RESIDENTIAL, L.P. Defendants.	X : 07 CV 8497 (DAB) : : DECLARATION OF DOMINIC PICCA : IN SUPPORT OF MOTION FOR : ADMISSION PRO HAC VICE OF : R. ROBERT POPEO, ESQ., TIMOTHY : LANGELLA, ESQ., AND JOSEPH D. : LIPCHITZ, ESQ. : X
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Dominic J. Picca, pursuant to 28 U.S.C. § 1746, declares:

1. I am a member in good standing of the bars of the State of New York and of the United States District Court of the Southern District of New York. I am a member of Mintz Levin Cohn Ferris Glovsky and Popeo, P.C., ("Mintz Levin"), attorneys for defendants J. Ronald Terwilliger, William C. Macdonald, Joseph S. Torg, and CFP Residential, L.P. in the above-captioned matter. I submit this Declaration in support of the motion for admission pro hac vice of R. Robert Popeo, Esq., Timothy J. Langella, Esq., and Joseph D. Lipchitz, Esq.

2. R. Robert Popeo is a member of Mintz Levin Cohn Ferris Glovsky and Popeo, P.C., One Financial Center, Boston, MA 02111, (617) 542-6000, rpopeo@mintz.com. Mr. Popeo is a member in good standing of the Bar of the Commonwealth of Massachusetts and is admitted to practice in the United States District Court for the District of Massachusetts. Attached as Exhibit 1 is a good standing certificate from the United States District Court for the District of Massachusetts.

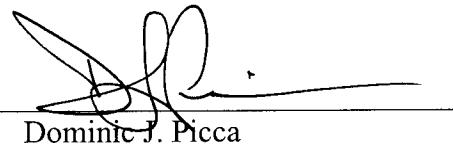
3. Timothy J. Langella is a member of Mintz Levin Cohn Ferris Glovsky and Popeo, P.C., One Financial Center, Boston, MA 02111, (617) 542-6000, tlangella@mintz.com. Mr. Langella is a member in good standing of the Bar of the Commonwealth of Massachusetts and is admitted to practice in the United States District Court for the District of Massachusetts. Attached as Exhibit 2 is a good standing certificate from the United States District Court for the District of Massachusetts.

4. Joseph D. Lipchitz is a member of Mintz Levin Cohn Ferris Glovsky and Popeo, P.C., One Financial Center, Boston, MA 02111, (617) 542-6000, jdlipchitz@mintz.com. Mr. Lipchitz is a member in good standing of the Bar of the Commonwealth of Massachusetts and is admitted to practice in the United States District Court for the District of Massachusetts. Attached as Exhibit 3 is a good standing certificate from the United States District Court for the District of Massachusetts.

5. For these reasons, I respectfully request that the Court execute the annexed proposed Order of Admission Pro Hac Vice and thereby admit Messrs. Popeo, Langella and Lipchitz pro hac vice in this action, pursuant to Rule 1.3 of the Local Civil rule of this Court.

6. I declare under penalty of perjury that the foregoing is true and correct. Executed
on November 28, 2007.

Dated: November 28, 2007
New York, New York

By: 
Dominic J. Picca

4200023v.1

UNITED STATES DISTRICT COURT

DISTRICT OFMASSACHUSETTS

CERTIFICATE OF
GOOD STANDING

I, Sarah A. Thornton, Clerk of this Court,

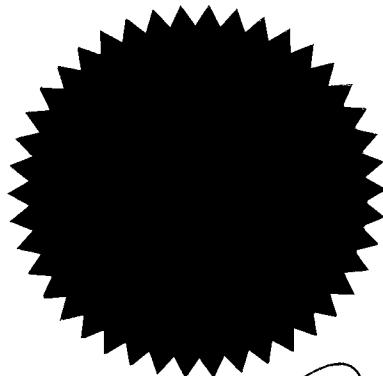
certify that R. Robert Popeo, Bar # 403360,

was duly admitted to practice in this Court on

November 5, 1962, and is in good standing
DATE

as a member of the Bar of this Court.

Dated at Boston, Massachusetts on November 2, 2007.
LOCATION *DATE*



Sarah A. Thornton

CLERK



Sarah A. Thornton
DEPUTY CLERK

UNITED STATES DISTRICT COURT

DISTRICT OFMASSACHUSETTS

CERTIFICATE OF
GOOD STANDING

I, Sarah A. Thornton, Clerk of this Court,

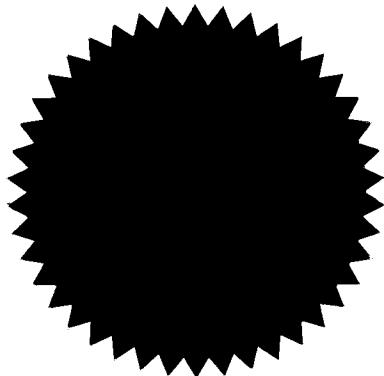
certify that Timothy J. Langella, Bar # 542017,

was duly admitted to practice in this Court on

March 27, 1984, and is in good standing
DATE

as a member of the Bar of this Court.

Dated at Boston, Massachusetts on November 2, 2007.
LOCATION *DATE*



Sarah A. Thornton

CLERK


A handwritten signature in cursive ink that appears to read "Sarah A. Thornton".

DEPUTY CLERK

UNITED STATES DISTRICT COURT

DISTRICT OFMASSACHUSETTS

CERTIFICATE OF
GOOD STANDING

I, Sarah A. Thornton, Clerk of this Court,

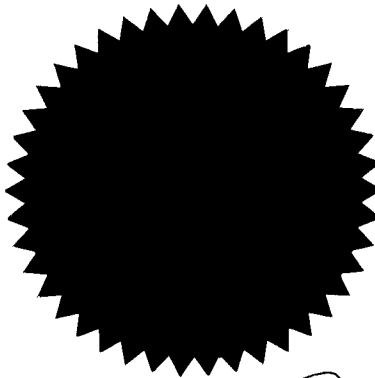
certify that Joseph D. Lipchitz, Bar # 632637,

was duly admitted to practice in this Court on

March 17, 2000, and is in good standing
DATE

as a member of the Bar of this Court.

Dated at Boston, Massachusetts on November 2, 2007.
LOCATION *DATE*



Sarah A. Thornton

CLERK



Judith Adin

DEPUTY CLERK

AFFIDAVIT OF SERVICE

State of New York)
)
) SS.:
County of New York)

ELAINE FREIRE, being duly sworn deposes and says:

1. I am over the age of eighteen, not a party to this action, and am employed by Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C., attorneys for defendants herein.

2. On the 29th day of November, 2007, I caused to be served true and correct copies of the within NOTICE OF MOTION FOR ADMISSION PRO HAC VICE and the ORDER ADMITTING COUNSEL PRO HAC VICE, by first class mail to the following:

To: Christopher J. Garvey, Esq.
Goodwin Procter LLP
599 Lexington Avenue
New York, New York 10022

and

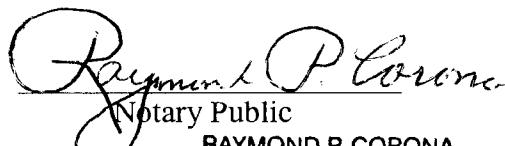
Anthony M. Feeherry
Brian H. Mukherjee
Goodwin Procter, LLP
Exchange Place
Boston, Massachusetts 02109

Attorneys for Plaintiff



ELAINE FREIRE

Sworn to before me
this 27th day of November 2007



RAYMOND P. CORONA
Notary Public, State of New York
No. 4955992
4201078v.1 Qualified in New York County
 Commission Expires Sept. 11, 20 09

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE PRUDENTIAL INSURANCE :
COMPANY OF AMERICA, : 07 CV 8497 (DAB)
: Plaintiff, :
vs. :
: J. RONALD TERWILLIGER, WILLIAM C. :
MACDONALD, JOSEPH S. TORG, and CFP :
RESIDENTIAL, L.P. :
Defendants. :
:----- X

ORDER ADMITTING COUNSEL *PRO HAC VICE*

Upon consideration of the Notice of Motion for Admission *Pro Hac Vice* R. Robert Popeo, Esq., Timothy J. Langella, Esq., and Joseph D. Lipchitz, Esq., dated November 28, 2007 and the accompanying Declaration of Dominic J. Picca, dated November 28, 2007 it is hereby:

ORDERED that, pursuant to Local Civil Rule 1.3(c) of the Local Rules of this Court, R. Robert Popeo, Esq., Timothy J. Langella, Esq., and Joseph D. Lipchitz, Esq., are hereby admitted *pro hac vice* to the Bar of this Court for the purpose of representing Defendants J. Ronald Terwilliger, William C. Macdonald, Joseph S. Torg, and CFP Residential, L.P., in the above-captioned proceeding.

United States District Judge

Dated: _____, 2007